California Statewide Office Recount
Fact Sheet

Who can request a recount?
Any registered California voter may request a recount of votes in a statewide contest. There is no provision in California law to require an "automatic recount" in any election contest. (California Elections Code §§ 359, 15621; California Code of Regulations § 20812(a).)

What steps must a voter take to request a statewide recount?
For a statewide office, a voter must file a signed, written request with the California Secretary of State for a recount. The request must specify in which county or counties the recount is sought and on behalf of which candidate the request is being filed. The recount request may specify the precinct order in which votes shall be recounted. If no precinct order is specified, the county elections official will determine the order. The requestor may submit a written request to change the precinct order, but the change cannot be made absent the approval of the county elections official. (Elections Code §§ 15621, 15622; Code of Regulations § 20814.)

When must a recount request be made?
A voter may file a recount request within five days beginning on the 29th day after a statewide election. (Elections Code § 15621.) Any voter wishing to request a recount of any statewide contest conducted as part of the June 3, 2014, Statewide Direct Primary Election must file a request with the Secretary of State between July 2 and July 7.

What does the Secretary of State do after receiving a recount request?
The Secretary of State must forward a copy of the request to the elections official in each county where a recount is sought. (Elections Code § 15621.)

What does a county elections official do after receiving a recount request?
After receiving the recount request from the Secretary of State, the county elections official must first verify the person requesting the recount is registered to vote in California. (Code of Regulations § 20812(b).)

The recount must begin not more than seven days after the county elections official receives the recount request, but it cannot begin until the day after the county elections official notifies all of the candidates for that office and the Secretary of State in person or by any federally regulated overnight mail service. If the recount request identifies two or more counties, and it specifies an order of precincts that starts with one county and moves to specified precincts in the next county, the seven-day commencement requirement only applies to the first county specified in the request. Once the first county completes its recount of the requested precincts, the recount then moves to the specified precincts in the next county.

At least one day before the recount begins in a county, the county elections official must post a notice detailing when and where the recount will be conducted, as well as the daily schedule. The recount must be conducted daily (not including weekends and holidays) for a minimum of six hours each day until completed. (Elections Code §§

15626, 15628; Code of Regulations § 20819.) The county elections official also must resubmit the security measures for recounts to the Secretary of State. (Code of Regulations § 20817.)

Can there be more than one recount in the same statewide contest?
Yes. Any time during a recount and for 24 hours after it concludes, any other voter can request a recount in any county, as long as it does not include any precincts that were recounted as part of a prior request. A new 24-hour window to request a recount in another area opens each time a recount is concluded. The 24-hour timeframe amounts to one business day. (Elections Code § 15623; Code of Regulations § 20812(c).)

Where is a recount conducted?
A recount must be conducted publicly in a location large enough to accommodate observers and media. (Elections Code § 15629; Code of Regulations §§ 20816, 20820.)

How much does a recount cost?
Recount costs vary by county. Before the recount can begin, the voter requesting the recount must provide the money requested by the county elections official to pay for the cost of the first day's recount work. This procedure is repeated for each day the recount continues. (Elections Code § 15624; Code of Regulations § 20815.)

Does a recount preclude the Secretary of State from certifying election results?
No. The law requires the Secretary of State to certify statewide election results 38 days after the election. For the June 3, 2014, Statewide Direct Primary Election, the 38th day is July 11. (Elections Code § 15501(b).) The law does not permit the Secretary of State to withhold certification of the election for any reason. If a recount results in a different outcome, the affected county elections officials must recertify their results to the Secretary of State. (Code of Regulations § 20822.)

Must all of the ballots cast in the entire state be recounted in order to change the result in a statewide contest?
No. However, all of the ballots in each county included in a recount request must be recounted in order to change the result. For example, if the request only includes one county, and there are 100 precincts in that county and the recount of ballots in 5 precincts would lead to a different candidate winning the contest, the results cannot be recertified unless the ballots in the remaining 95 precincts are also recounted and the result of that countywide recount would lead to a different candidate winning. Likewise, if the recount request includes more than one county, all of the ballots in all of the requested counties would have to be recounted and the compilation of the recount in those counties would have to lead to a different candidate winning the contest before the results would be recertified. Should a recount request change the winner of the election, another voter representing another candidate has 24 hours to request a recount in a different county or counties. This can continue until all of the ballots in the state are recounted or until the 24-hour window for a recount request closes. (Elections Code § 15632; Code of Regulations § 20822.)